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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

5   TANIKO SMITH,   )
)
6   Petitioner,   )   2:12-cv-00570-GMN-PAL
)
7   vs.   )   **ORDER**
)
8   BRIAN E. WILLIAMS, *et al.*,   )
)
9   Respondents.   )
    _____/

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11   This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254,

12   by a Nevada state prisoner. Petitioner has submitted a habeas petition and seeks leave to proceed *in*

13   *forma pauperis*. (ECF No. 1). In addition to filing the proper affidavit of inability to pay filing fees,

14   a prisoner seeking to proceed *in forma pauperis* "shall submit a certified copy of the trust fund

15   account statement (or institutional equivalent) for the prisoner for the 6-month period immediately

16   preceding the filing of the complaint . . . obtained from the appropriate official of each prison at

17   which the prisoner is or was confined." 28 U.S.C. § 1915(a)(1), (2). Petitioner in the instant action

18   has failed to submit an *in forma pauperis* application that provides the necessary financial

19   information and includes a financial certificate signed by an authorized prison or jail officer.

20   **IT IS THEREFORE ORDERED** that this action is **DISMISSED WITHOUT**

21   **PREJUDICE** to the filing of a new petition in a new action, with a proper *in forma pauperis*
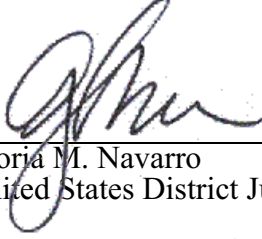
22   application in compliance with 28 U.S.C. § 1915(a).

23   **IT FURTHER IS ORDERED** that the Clerk of the Court shall send petitioner two copies of

24   an *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two

25   copies of a blank 28 U.S.C. § 2254 habeas corpus form, one copy of instructions for the same, and a

26   copy of the petition (ECF No. 1-1) in this action.

1   **IT IS FURTHER ORDERED** that petitioner may file a new petition and *in forma pauperis*

2   application in a new action, but he may not file further documents in this action.

3   **IT IS FURTHER ORDERED** that all pending motions, including petitioner's motion for

4   counsel (ECF No. 2) are **DENIED.**

5   **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

6   Dated this 11th day of April, 2012.

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8   Gloria M. Navarro
United States District Judge

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